

Appin. No. 09/896,771
Amdt. dated Sep. 26, 2005
Reply to Office Action of April 25, 2005
Docket No. 6169-235

IBM Docket No. RPS9-2001-0006

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of April 25, 2005 (Office Action). This response is filed after the 3-month shortened statutory period, and as such, a retroactive extension of time is herein requested. The Examiner is authorized to charge the appropriate extension fee to Deposit Account 50-0951.

In paragraph 1 of the Office Action, Claims 1-20 under 35 U.S.C. § 102(b) were rejected as being anticipated by the following collection of articles U-UU, as designated in the Office Action:

U: NEON: "NEON Adds XML and EDI Adapters to e-Business Product Line," PR Newswire, October 5, 1999;

V: NEON: "IBM Eases Business Integration with New Software...", M2 Presswire, April 5, 2000;

W. NEON: www.neonsoft.com; Internet Archive Wayback Machine, www.archive.org;

X: NEON: Emigh, J.; "IBM Shows MQSeries-based Business Tools," Computer dealer News, May 25, 1998; and

UU: NEON: "Neon Introduce New Adapters for Terminals and Communication Protocols," PR Newswire, August 24, 1999 (collectively referred to herein as the "NEON references").

The NEON references are embellished in the Office Action, by reference to U.S. Patent No. 5,893,911 to Piskiel, *et al.*, (hereinafter Piskiel), which was awarded to NEON. In paragraph 2 of the Office Action, the Examiner rejected claims 21 and

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22 under 35 U.S.C. § 103(a) as being unpatentable over NEON in view of U.S. Patent No. 6,073,109 to Flores, *et al.* (hereinafter Flores).

Independent Claims 1, 7, 13, 17, 21, and 22 have been amended to further emphasize certain aspects of the invention. Dependent Claims 4, 10, 15, and 19 have also been amended to further emphasize certain aspects of the invention and to maintain consistency with the claims from which each depends. Newly presented Claim 23 also further emphasizes certain aspects of the invention. The amendments and the newly presented claim, as explained herein, are fully supported in the Specification, and no new matter has been added by virtue of the amendments.

I. Applicants' Invention

It may be useful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. The invention provides integrated, multi-channel retailing in one or more data communications networks. One embodiment of the invention is a method for integrated multi-channel retailing. The method includes associating a plurality of message adaptors with corresponding retail integrated technology (IT) systems to process common data in a plurality of retail channels. The method also includes intercepting in the adaptors data processing messages generated in the corresponding retail IT systems.

Additionally, the method includes converting in the adaptors the intercepted data processing messages to a common message format, and forwarding each converted data processing message to a data control point. (See, e.g., Specification p. 12, line 21 – p. 13, line 3; and, p. 13, lines 14-21.) According to the method, the data control point generates a reformatted message for each forwarded message by reformatting each forwarded message. The data control point can route forwarded messages to others in the system. (See, e.g., Specification p. 6, lines 1 – 6.) Moreover, a retail channel can

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comprise a "brick-and-mortar" store or physical store location. (See, e.g., Specification, p. 10, lines 2 – 6, and 19 – 21.) Thus, according to this embodiment, the data control point forwards each reformatted message to at least one other data control point associated with a physical store location.

The method further includes distributing reformatted messages from the other data control point or points to a plurality of IT systems at the physical store location. This enables an end user to access a plurality of functions at the physical store location. (Specification, p. 9, lines 5 – 8.) More particularly, according to the method, the plurality of functions can include an at-store merchandise pickup, an at-store merchandise exchange, an at-store order status query, an at-store payment, an at-store change of customer information, an at-store use of customer loyalty points, and/or an at-store kiosk transaction. (See, e.g., Specification, p. 9, lines 5 – 8 and p. 14, lines 9 – 17.)

II. The Claims Define Over The Prior Art

As already noted, independent Claims 1, 7, 13, and 17 were rejected as being anticipated by the NEON references, to which Piskiel relates given that at least some underlying technology disclosed in NEON is disclosed in Piskiel. The NEON references are directed to two types of adapters intended to provide an integration of servers with applications and systems that have terminal or datastream interfaces. Piskiel is directed to methods and associated structures for processing messages in a distributed computing application.

Applicant respectfully asserts, however, that neither the NEON reference nor Piskiel disclose each feature recited in independent Claims 1, 7, 13, and 17, as amended. Firstly, it should be noted, generally, that neither NEON nor Piskiel are directed to retail

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channels. More specifically, neither reference discloses, for example, multi-channel retailing that includes forwarding data processing messages that have been converted from messages intercepted in an adapter to a data control point, generating a reformatted message for each forwarded message, and forwarding each reformatted message to another data control point, as recited in the amended independent Claims 1, 7, 13, and 17. Moreover, neither reference discloses that the other data control point is associated with a physical store location, as also recited in the amended independent Claims 1, 7, 13, and 17.

Nor do the references further disclose distributing reformatted messages from the other data control point to a plurality of IT systems at the physical store location so as to enable an end user to access a plurality of functions at the physical store location, as further recited in amended independent Claims 1, 7, 13, and 17. The references also do not disclose that the accessed functions include an at-store merchandise pickup, an at-store merchandise exchange, an at-store order status query, an at-store payment, an at-store change of customer information, an at-store use of customer loyalty points, and/or an at-store kiosk transaction, as additionally recited in amended independent Claims 1, 7, 13, and 17.

Applicants respectfully assert that whereas neither reference expressly nor inherently teaches each feature of amended independent Claims 1, 7, 13, and 17, the claims therefore define over the prior art. Applicants further respectfully assert that, whereas amended independent Claims 1, 7, 13, and 17 define over the prior art, each of the claims that depend therefrom also define over the prior art. Accordingly, Applicants respectfully assert that Claims 2-6, 8-12, and 14-16 likewise define over the prior art.

As also noted above, independent Claims 21 and 22 were rejected as being unpatentable over NEON in view of Flores. Flores is cited as providing the feature of

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detecting a modification to common data. Flores provides a system for analyzing and structuring business processes implemented in software in order to manage business processes. Flores, like the NEON references, however, also fails to provide each feature recited in amended independent Claims 21 and 22.

For example, Flores fails to teach or suggest multi-channel retailing that includes forwarding data processing messages to a data control point, and then generating a reformatted message to another data control point, as recited in the amended independent Claims 21 and 22. Flores also fails to teach or suggest that the other data control point is associated with a physical store location, as also recited in the amended independent Claims 21 and 22. Flores further fails to teach or suggest distributing reformatted messages from the other data control point to a plurality of IT systems at the physical store location so as to enable an end user to access a plurality of functions at the physical store location, as further recited in amended independent Claims 21 and 22. Flores also does not disclose that the seamlessly accessed functions include an at-store merchandise pickup, an at-store merchandise exchange, an at-store order status query, an at-store payment, an at-store change of customer information, an at-store use of customer loyalty points, and/or an at-store kiosk transaction, as additionally recited in amended independent Claims 21 and 22.

Applicants respectfully assert therefore that the Flores, even when combined with the NEON reference, fails to disclose every feature recited in independent Claims 12 and 22. Thus, these two claims also define over the prior art.

CONCLUSION

The Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. The Applicants request that the Examiner call the


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undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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